

**BUFFALO COUNTY BOARD OF SUPERVISORS  
TUESDAY, MARCH 31, 2009  
9:00 A.M.**

The Buffalo County Board of Supervisors met on Tuesday, March 31, 2009 at 9:00 A.M. Chairman Pierce called the meeting to order and led those present in the Pledge of Allegiance. The following Board members responded to roll call: Horace Dannehl, Kent Greder, Ivan Klein, Timothy Loewenstein William McMullen, Sherry Morrow and Richard Pierce. Chairman Pierce announced that in accordance with Section 84-1412 of the Nebraska Revised Statutes, a current copy of the Open Meetings Act is available for review and is posted at the back of the Board Room.

Posting and publishing gave notice of the meeting in advance, thereof. Notice of the meeting was simultaneously given to all members of the Board of Supervisors; and availability of the agenda was communicated in the advance notice and in the notice to the Board of Supervisors of this meeting. Said agenda was also furnished to all area news media. A copy of the acknowledgment and receipt of notice and agenda by the Board of Supervisors is attached to these minutes. County Clerk Janice Giffin took all proceedings hereinafter shown while said meeting was open to the public. County Attorney Shawn Eatherton was present.

Chairman Pierce called for Citizens forum and approximately 30 people were present. Those addressing the Board were Wade Hartman, Ron Richardson, Jim Bendfeldt, Larry Bailey, Roland Spencer, Larry Andersen and Dale Harter. Their concerns were expressed over water drainage issues created by a berm built south of Gibbon by Kenneth Woodman. Also present were Kenneth Woodman and Bill Kroll who explained what had been done with the building of the berm in question. The U.S. Army Corp of Engineers has already been contacted and the Central Platte Natural Resources District will be contacted for direction in this matter.

Chairman Pierce opened discussion with the Judges and their staff regarding the County Budget. In addition to the Board members present, the following people were present: Judge Graten Beavers, Judge John Icenogle, Judge Jerry Jorgensen, Clerk of the District Court Sharon Mauler and Clerk Magistrate Jan Haeker.

Chairman Pierce reviewed the following correspondence with the Board. Emergency Manager sent a copy of Media Release announcing Severe Weather Awareness Week. Unifi Mutual Holding Company sent notice of their annual meeting. The Government Matter Newsletter was received. Chairman Pierce called on each Board member for the various committee reports and recommendations.

Chairman Pierce opened discussion with the Elected Officials regarding the County Budget. In addition to the Board members present, the following Elected Officials were present: County Assessor Joe Woodward, County Attorney Shawn Eatherton, Clerk of the District Court Sharon Mauler, County Clerk Janice Giffin, Public Defender Jeff Wirth, Register of Deeds Kellie John, County Sheriff Neil Miller, County Treasurer Jean Sidwell and County Surveyor Trenton Snow.

Chairman Pierce opened discussion with the Appointed Officials and Department Heads regarding the County Budget. In addition to the Board members present, the following Appointed Officials and Department Heads were present: Board Administrator Lynn Rauner, Building and Grounds Manager Ross Karabel, Election Commissioner Glenda DeBrie, Emergency Manager Darrin Lewis, Extension Educator Brian Bosshamer, Highway Superintendent Ron Sklenar, IT Manager Tobin Houlden, Juvenile Services Administrator Doug Kramer, Veterans Service Officer William Williams, Weed Superintendent Dick Kincaid and Zoning Administrator LeAnn Klein.

Moved by Dannehl and seconded by McMullen to refer the Deed of Conservation Easement between M3 Properties LLC (Grantor) and Central Platte Natural Resources District (Grantee) to the Buffalo County Planning and Zoning Commission. The Planning and Zoning Commission will review this April 16, 2009 and return their recommendation to this Board on the April 28, 2009 regular Board meeting. Upon roll call vote, the following Board members voted "Aye": Dannehl, McMullen, Klein, Loewenstein and Pierce. Absent: Greder and Morrow. (Supervisor Morrow left the Board meeting at 11:30 A.M. Greder left the Board meeting from 11:50 A.M. to 11:55 A.M.) Motion declared carried.

Moved by McMullen and seconded by Klein to set the date of April 14, 2009 to accept sealed bids for Bridge Steel items. Upon roll call vote, the following Board members voted "Aye": McMullen, Klein, Dannehl, Greder, Loewenstein and Pierce. Absent: Morrow. Motion declared carried.

On January 27, 2009 the Board discussed the two petitions received requesting road top maintenance on 29<sup>th</sup> Street in Paradise Acres and 95<sup>th</sup> Street and Windy Meadows Road. At that time these petitions were subject to the following

conditions: 1) satisfactory inspection from the Road Department of matters disclosed in letter he gave to subdivision association that was copied to and reviewed by this Board today, 2) title clearance approved by the County Attorney's office, and 3) that the foregoing two requirements are completed no later than March 31, 2009. The Buffalo County Subdivision Rules and Regulations were adopted on February 17, 2009. The next two Agenda items refer back to this action taken on January 27, 2009.

Moved by McMullen and seconded by Loewenstein to approve the road top maintenance petition on 95<sup>th</sup> Street and Windy Meadows Road since the specifications set in the January 27, 2009 meeting have now been met. Upon roll call vote, the following Board members voted "Aye": McMullen, Loewenstein, Dannehl, Greder, Klein and Pierce. Absent: Morrow. Motion declared carried.

Moved by McMullen and seconded by Klein to approve the road top maintenance petition on 29<sup>th</sup> Street in Paradise Acres since the specifications set in the January 27, 2009 meeting have now been met. Upon roll call vote, the following Board members voted "Aye": McMullen, Klein, Dannehl, Greder, Loewenstein and Pierce. Absent: Morrow. Motion declared carried.

Chairman Pierce asked if there was anything else to come before the Board before the meeting was adjourned. Supervisor Loewenstein noted that he had received an email after the Agenda amendment deadline requesting a letter of support for a Jail Diversion grant. After discussion and recognizing the deadline of April 3, 2009 the consensus was to authorize the Chairman to send a letter of support for the application and to ratify the action at the April 14, 2009 Board meeting.

Buster Beckenhauer, Construction Manager was present to update the Board with Phase 1B and Phase 1C Construction Projects.

LeAnn Klein, Zoning Administrator notified the Board that Floodplain Insurance maps were received and that Buffalo County had 30 days to review the maps.

At 12:14 P.M declared the meeting adjourned until the meeting on Tuesday, April 14, 2009 at 9:00 A.M Chairman Pierce instructed County Clerk Janice Giffin to publish notice for the same according to Nebraska law.